

Doc Code:

PTO/SB/64/PCT (10-05)

Approved for use 03/31/2007. OMB 0851-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
(Optional)
762301-1290First Named Inventor: **Blair**International (PCT) Application No.: **PCT/GB02/03532**U.S. Application No.:
(if known)Filed: **31 July 2002**Title: **TELECOMMUNICATION INTERACTION ANALYSIS**Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.☒ Other than small entity-fee \$ \$1,500.00 (37 CFR 1.17(m))**2. Proper reply****A.** The proper reply (the missing 35 U.S.C. 371 (c) requirement(s)) in the form of
Transmittal Letter (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Doc Code:

PTO/SB/64/PCT (10-05)

Approved for use through 03/31/2007. OMB 0651-0021

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Signature

Minh N. Nguyen

Typed or Printed Name

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP

Address

100 Galleria Parkway, N.W., Suite 1750, Atlanta, GA 30339-5948

Address

Date

53,864

Registration Number, if applicable

(770) 933-9500

Telephone Number

- Enclosures: ☒ Response
- ☒ Fee Payment
- ☐ Terminal Disclaimer
- ☒ Other (please identify):

Certificate of Facsimile; Front Cover of Corresponding PCT application; Assignment; Affidavit of Kevin Hegebarth; Credit Card Authorization Form

RECEIVED
15 MAR 2006

TKHR

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.

ATTORNEYS AT LAW

100 Galleria Pkwy, NW
Suite 1750
Atlanta, GA 30339-5948
www.tkhr.com

RECEIVED
15 MAR 2006
Legal Staff
International Division
Lara.obrien@tkhr.com

Lara L. O'Brien, Paralegal
(770) 933-9500, Ext. 220

FACSIMILE TRANSMISSION

March 15, 2006

[762301-1290]

TO

PCT Legal Office

FAX: (571) 273-0459

FROM

Lara L. O'Brien, Paralegal

FAX: 770-951-0933

TEL:

TEL:

**RE: Petition for Revival of an International Application for Patent Designating the U.S.
Abandoned Unintentionally Under 37 C.F.R. 1.137(b)
Our File No. 762301-1290**

(Message)

**Number of Pages (Including This Cover Sheet): - 13 - Page(s)
PLEASE ACKNOWLEDGE SAFE AND CLEAR RECEIPT OF ALL PAGES.**

CONFIDENTIAL

The information in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this facsimile in error, please notify us by telephone and return the original message to us at the address above via the United States Postal Service. Thank you.

INTERNATIONAL PATENT, TRADEMARK AND COPYRIGHT LAW AND RELATED LITIGATION

Huntsville, Alabama

Atlanta, Georgia

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau(43) International Publication Date
13 February 2003 (13.02.2003)

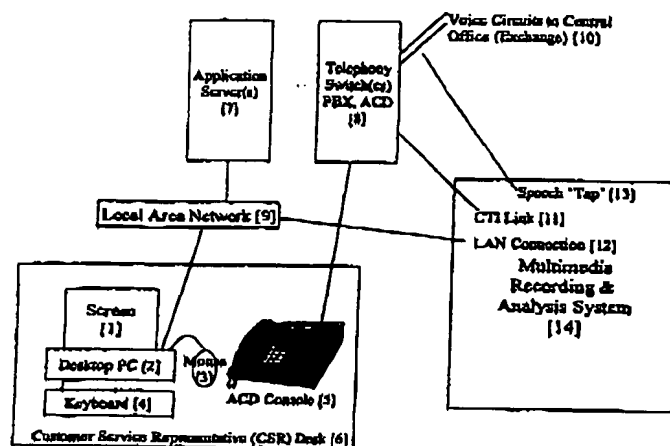
PCT

(10) International Publication Number
WO 03/013113 A2

- (51) International Patent Classification: **H04M 3/00**
- (21) International Application Number: **PCT/GB02/03532**
- (22) International Filing Date: **31 July 2002 (31.07.2002)**
- (25) Filing Language: **English**
- (26) Publication Language: **English**
- (30) Priority Data:
0118921.6 **2 August 2001 (02.08.2001)** **GB**
- (71) Applicant (for all designated States except US): **EYRE-TEL PLC** [GB/GB]; Kings Court, Kingston Road, Leatherhead, Surrey KT22 7SZ (GB).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): **BLAIR, Christopher, Douglas** [GB/GB]; Ivor Cottages, Balneath Farm, South Chailay, East Sussex BN8 4AP (GB). **PEREIRA, Ainsley, Malcolm** [GB/GB]; 4 Aspen Way, Horsham, West Sussex RH12 4AH (GB). **SAARISTE, Samuel** [NL/GB]; 12 Oaklands, Horsham, West Sussex RH13 5LJ (GB).
- (74) Agent: **GILL, David, Alan**; W.P. Thompson & Co., Celcon House, 289-293 High Holborn, London WC1V 7HU (GB).
- (81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OM, PH, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZM, ZW.
- (84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).
- Published:
— without international search report and to be republished upon receipt of that report

[Continued on next page]

(54) Title: TELECOMMUNICATION INTERACTION ANALYSIS



(57) Abstract: The present invention provides for a method of monitoring sets of related communication signal streams comprising the steps of analysing the content or parameters associated with a component of one of the signal streams according to a first analysis criteria, analysing a second component of a related signal stream or parameter associated therewith, according to a second analysis criteria, providing results of the analysis of the said one of the signal streams and which is responsive to the said analysis according to the second criteria. Also, the analysis of the energy envelope representative of at least one communication signal can be provided for and the method of the present invention can further include steps of conducting speech recognition of the identification of words and/or phrases within a communications traffic stream and in which the scale and/or nature of recognition analysis applied to the speech recognition is varied responsive to the analysis of content or parameters associated with the communication stream.

WO 03/013113 A2

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In Re Application of: BLAIR et al.
Int. Appln. No.: PCT/GB02/03532
Int. Filing Date: 31 July 2001
Title: *Telecommunication Interaction Analysis*
Atty Docket No.: 762301-1290

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR
PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37
C.F.R. 1.137(b)**

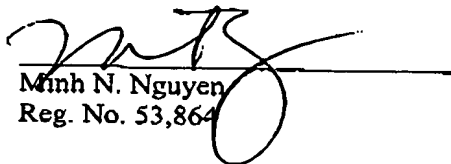
Commissioner for Patents
Mail Stop PCT (DO/EO/US)
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We have attached a Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 C.F.R. 1.137(b) for consideration. The 30-month National Phase filing deadline for the referenced PCT patent application was February 2, 2004. During the period to file in the national stage, Applicants unintentionally abandoned the referenced PCT patent application. An affidavit of Kevin Hegebarth is attached herein and provides reasons for the unintentional abandonment of the referenced PCT patent application.

We look forward to hearing your decision in this matter.

Respectfully submitted,


Minh N. Nguyen
Reg. No. 53,864

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.
Suite 1750
100 Galleria Parkway, N.W.
Atlanta, GA 30339-5948
Telephone: (770) 933-9500
Facsimile: (770) 951-0933

AFFIDAVIT

In Re Application of: BLAIR, *et al.*
Int. Appln. No.: PCT/GB02/03532
Int. Filing Date: 31 July 2001
Title: *Telecommunication Interaction Analysis*
Atty Docket No.: 762301-1290

I, Kevin Hegebarth, a citizen of the United States with an address of 145 Millwick Cove, Alpharetta, Georgia 30005, being duly sworn, do swear as follows:

- 1) I am over 21 years of age and under no mental infirmity.
- 2) I am the director of strategic analysis at Witness Systems, Inc. ("Witness"), 300 Colonial Center Parkway, Suite 600, Roswell, GA 30076, which owns the above PCT patent application.
- 3) The above PCT patent application was originally owned by Eyretel PLC ("Eyretel"), Kings Court, Kingston Road, Leatherhead, Surrey KT22 7SZ, United Kingdom.
- 4) In March 2003, Witness acquired Eyretel including the above PCT patent application. David Gill, a patent attorney with the firm of W.P. Thompson & Co., 55 Drury Lane, London WC2B 5SQ, assisted in managing and handling Eyretel's patent applications before the acquisition.
- 5) The above PCT patent application was not file in the U.S. on or before February 2, 2004, which is the 30-month National Phase filing deadline for the above PCT patent application.
- 6) Between 2003-2004, I had many responsibilities that involved the acquisition of Eyretel: 1) functional integration of Eyretel's and Witness' products; 2) marketing integration of Eyretel's and Witness' brands; 3) partnering strategy with technology companies; and 4) management of Eyretel's patent applications that were being transferred to Witness. Since I am not a patent attorney, the management of the Eyretel's patent applications was not a high priority compared to my other responsibilities. In addition, the transfer of approximately 30 of Eyretel's patents and patent applications was overwhelming and confusing. Since David Gill had been working with Eyretel's patent applications, I continued to use David to help manage and handle Eyretel's patent applications.
- 7) In 2005, Andrew Pham was obtained as Director of Intellectual Property for Witness. Andrew was working with David in managing the prosecution of the above PCT patent application. In January 2006, Andrew discovered that the above PCT patent application was not filed in the U.S. and requested an explanation from David.

8) According to David Gill, in February 2004, I expressed to David an interest in pursuing this patent application in the U.S. and requested a cost estimate. In March 2004, David provided me with an informal cost estimate in filing a petition to revive the application and requested confirmatory instructions from me. In July 2004, David indicated that this application had not been filed in the U.S. because I did not provide him with the confirmatory instructions.

9) The lapsing of the above PCT patent application was unintentional on my part due to the confusion that occurred when Witness acquired Eyretel and all of the Eyretel's patent applications were being transferred to Witness. In addition, I was overwhelmed with my responsibilities as director of strategic planning, and so the management of Eyretel's patent applications was not a high priority. Consequently and unfortunately, the filing of the above PCT patent application in the U.S. was overlooked on my behalf.

Date: 14 March 2006

By: *Kevin G. Hegebarth*

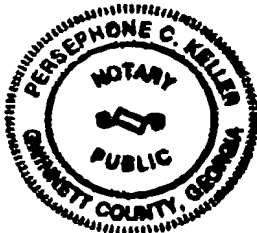
Kevin G. Hegebarth

United States of America

State of Georgia

County of Fulton

On this 14th day of March, 2006, before me personally came Kevin G. Hegebarth to me known to be the individual described above and who executed the foregoing instrument, or acknowledged execution of the same.



PERSEPHONE C. KELLER
Notary Public, Guinnett County, Georgia
My Commission Expires Oct. 10, 2008

Persephone C. Keller
Notary Public

10/10/06
My Commission Expires (Date)

ASSIGNMENT AGREEMENT

IN THIS AGREEMENT, made and entered into as of the 24th day of February, 2006 ("Effective Date"), Eyretel plc, now known as Witness Systems Ltd., a company organized under the laws of England and Wales having offices at Kings Court, Kingston Road, Leatherhead, Surrey KT22 7SL, United Kingdom ("WITNESS LTD."), and Witness Systems, Inc., a Delaware Corporation, having offices at 300 Colonial Center Parkway, Roswell, GA, 30076 ("WITNESS INC."), agree as follows:

1. WITNESS LTD. owns all right, title, and interest in and to:

| | |
|---|----------------------------|
| U.S. Pub. No. 2003/0078782 A1 ("the US '782 Publication") | PCT Filing date 01/12/2001 |
| Intn'l Pub. No. WO 01/52510 ("the WO '510 Publication") | PCT Filing date 01/12/2001 |
| EP App. No. 1360799 ("the EP '799 Application") | PCT Filing date 02/11/2002 |
| Intn'l Pub. No. WO 02/065704 A1 ("the WO '704 Publication") | PCT Filing date 02/11/2002 |
| U.S. Pub. No. 2005/0240656 A1 ("the US '656 Publication") | PCT Filing date 02/11/2002 |
| Intn'l Pub. No. WO 03/013113 A3 ("the WO '113 Publication") | PCT Filing date 07/31/2002 |
| EP App. No. 1421773 ("the EP '773 Application") | PCT Filing date 07/31/2002 |
| Intn'l Pub. No. WO 2004/019585 A1 ("the WO '585 Publication") | PCT Filing date 08/21/2003 |
| AU App. No. 2003259339 ("the AU '339 Application") | PCT Filing date 08/21/2003 |
| European Patent No. 0 833 489 ("the EP '489 Patent") | EPO Filing date 09/02/1997 |
| U.S. Pat. No. 6,404,857 ("the US '857 Patent") | US Filing date 02/10/2000 |
| U.S. Pat. No. 6,757,361 ("the US '361 Patent") | US Filing date 02/14/2002 |

the inventions disclosed and claimed therein, and all U.S. and foreign patents and applications that rely on the US '782 Publication, the WO '510 Publication, the EP '799 Application, the WO '704 Publication, the US '656 Publication, the WO '113 Publication, the EP '773 Application, the WO '585 Publication, the AU '339 Application, the EP '489 Patent, the US '857 Patent, and the US '361 Patent for priority ("the Patents").

2. WITNESS INC. desires to acquire and WITNESS LTD. is willing to assign to WITNESS INC. all of WITNESS LTD.'s right, title, and interest in and to the Patents and any inventions disclosed or claimed therein.
3. WITNESS LTD. hereby transfers, grants, conveys, assigns, and relinquishes exclusively to WITNESS INC. all of WITNESS LTD.'s right, title, and interest in and to the Patents, the inventions claimed therein, and all accrued causes of action for damages for infringement thereof.
4. For good and valuable consideration, receipt of which is hereby acknowledged, WITNESS LTD. hereby sells, assigns, transfers, and sets over to WITNESS INC., its lawful successors and assigns, WITNESS LTD.'s entire right, title, and interest in the Patents, the inventions claimed therein, any other patent application directed to the inventions, and all Letters Patent of the United States that may be granted thereon, and all reissues, reexaminations, and extensions thereof; and all rights to claim priority on the basis of such application, and all applications for Letters Patent that may be filed for the invention in any foreign country and

all Letters Patent that may be granted on the invention in any foreign country, and all extensions, renewals, and reissues thereof; and WITNESS LTD. hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to WITNESS INC., its successors and assigns, in accordance with the terms of this Assignment.

5. In furtherance of this Agreement, WITNESS LTD. hereby acknowledges that, from the Effective Date forward, WITNESS INC. has succeeded to all of WITNESS LTD.'s right, title, and standing to receive all rights and benefits pertaining to the Patents, institute and prosecute all suits and proceedings, and take all actions that WITNESS INC., in its sole discretion, may deem necessary or proper to collect, assert, or enforce any claim, right, or title of any kind under any and all of the Patents, whether arising before or after the Effective Date, including the right to sue to enforce and collect damages for past infringement of the Patents, defend and compromise any and all such actions, suits, or proceedings relating to such transferred and assigned rights, title, interest, and benefits, and do all other such acts and things in relation thereto as WITNESS INC., in its sole discretion, deems advisable.
6. WITNESS LTD. represents and warrants that no consents of any other parties are necessary or appropriate under any agreements concerning any of the Patents in order for the transfer and assignment of any of the Patents under this Agreement to be legally effective.
7. This Agreement shall inure to the benefit of, and be binding on, the parties hereto together with their respective legal representatives, successors, and assigns.
8. This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia (excluding conflicts of law rules) and of the United States.
9. This Agreement merges and supersedes all prior and contemporaneous agreements, assurances, representations, and communications between or among the parties hereto concerning the matters set forth herein.

IN TESTIMONY WHEREOF, each party has caused its authorized representative to execute this Assignment.

Witness Systems Ltd.

Witness Systems, Inc.

By: _____
William Evans

By:  _____
Loren Wimpfheimer

Title: Director of Witness Systems Ltd.

Title: Senior Vice President
of Witness Systems, Inc.

02/27/2006 14:17

3222210755

VELAS VALLARTA

PAG. 01

Page 1 of 2

ASSIGNMENT AGREEMENT

IN THIS AGREEMENT, made and entered into as of the 24th day of February, 2006 ("Effective Date"), Eyretel plc, now known as Witness Systems Ltd., a company organized under the laws of England and Wales having offices at Kings Court, Kingston Road, Leatherhead, Surrey KT22 7SL, United Kingdom ("WITNESS LTD."), and Witness Systems, Inc., a Delaware Corporation, having offices at 300 Colonial Center Parkway, Roswell, GA, 30076 ("WITNESS INC."), agree as follows:

1. WITNESS LTD. owns all right, title, and interest in and to:

| | |
|---|----------------------------|
| U.S. Pub. No. 2003/0078782 A1 ("the US '782 Publication") | PCT Filing date 01/12/2001 |
| Intn'l Pub. No. WO 01/52510 ("the WO '510 Publication") | PCT Filing date 01/12/2001 |
| EP App. No. 1360799 ("the EP '799 Application") | PCT Filing date 02/11/2002 |
| Intn'l Pub. No. WO 02/065704 A1 ("the WO '704 Publication") | PCT Filing date 02/11/2002 |
| U.S. Pub. No. 2005/0240656 A1 ("the US '656 Publication") | PCT Filing date 02/11/2002 |
| Intn'l Pub. No. WO 03/013113 A3 ("the WO '113 Publication") | PCT Filing date 07/31/2002 |
| EP App. No. 1421773 ("the EP '773 Application") | PCT Filing date 07/31/2002 |
| Intn'l Pub. No. WO 2004/019585 A1 ("the WO '585 Publication") | PCT Filing date 08/21/2003 |
| AU App. No. 2003259339 ("the AU '339 Application") | PCT Filing date 08/21/2003 |
| European Patent No. 0 833 489 ("the EP '489 Patent") | EPO Filing date 09/02/1997 |
| U.S. Pat. No. 6,404,857 ("the US '857 Patent") | US Filing date 02/10/2000 |
| U.S. Pat. No. 6,757,361 ("the US '361 Patent") | US Filing date 02/14/2002 |

the inventions disclosed and claimed therein, and all U.S. and foreign patents and applications that rely on the US '782 Publication, the WO '510 Publication, the EP '799 Application, the WO '704 Publication, the US '656 Publication, the WO '113 Publication, the EP '773 Application, the WO '585 Publication, the AU '339 Application, the EP '489 Patent, the US '857 Patent, and the US '361 Patent for priority ("the Patents").

2. WITNESS INC. desires to acquire and WITNESS LTD. is willing to assign to WITNESS INC. all of WITNESS LTD.'s right, title, and interest in and to the Patents and any inventions disclosed or claimed therein.
3. WITNESS LTD. hereby transfers, grants, conveys, assigns, and relinquishes exclusively to WITNESS INC. all of WITNESS LTD.'s right, title, and interest in and to the Patents, the inventions claimed therein, and all accrued causes of action for damages for infringement thereof.
4. For good and valuable consideration, receipt of which is hereby acknowledged, WITNESS LTD. hereby sells, assigns, transfers, and sets over to WITNESS INC., its lawful successors and assigns, WITNESS LTD.'s entire right, title, and interest in the Patents, the inventions claimed therein, any other patent application directed to the inventions, and all Letters Patent of the United States that may be granted thereon, and all reissues, reexaminations, and extensions thereof; and all rights to claim priority on the basis of such application, and all applications for Letters Patent that may be filed for the invention in any foreign country and

0-2 11 0200 00

SABSA. S. ENJIA A1 1401

A:70-2. 0002 12 001

02/27/2006 14:17

3222218755

VELAS VALLARTA

PAG. 02

Page 2 of 2

all Letters Patent that may be granted on the invention in any foreign country, and all extensions, renewals, and reissues thereof; and WITNESS LTD. hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to WITNESS INC., its successors and assigns, in accordance with the terms of this Assignment.

5. In furtherance of this Agreement, WITNESS LTD. hereby acknowledges that, from the Effective Date forward, WITNESS INC. has succeeded to all of WITNESS LTD.'s right, title, and standing to receive all rights and benefits pertaining to the Patents, institute and prosecute all suits and proceedings, and take all actions that WITNESS INC., in its sole discretion, may deem necessary or proper to collect, assert, or enforce any claim, right, or title of any kind under any and all of the Patents, whether arising before or after the Effective Date, including the right to sue to enforce and collect damages for past infringement of the Patents, defend and compromise any and all such actions, suits, or proceedings relating to such transferred and assigned rights, title, interest, and benefits, and do all other such acts and things in relation thereto as WITNESS INC., in its sole discretion, deems advisable.
6. WITNESS LTD. represents and warrants that no consents of any other parties are necessary or appropriate under any agreements concerning any of the Patents in order for the transfer and assignment of any of the Patents under this Agreement to be legally effective.
7. This Agreement shall inure to the benefit of, and be binding on, the parties hereto together with their respective legal representatives, successors, and assigns.
8. This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia (excluding conflicts of law rules) and of the United States.
9. This Agreement merges and supersedes all prior and contemporaneous agreements, assurances, representations, and communications between or among the parties hereto concerning the matters set forth herein.

IN TESTIMONY WHEREOF, each party has caused its authorized representative to execute this Assignment.

Witness Systems Ltd.

Witness Systems, Inc.

By:


 William Evans

By:


 Loren Wimpfheimer
Title: Director of Witness Systems Ltd.Title: Senior Vice President
of Witness Systems, Inc.

0.0 0 0000 00

SALSAI 000000 00 0000 000000 000000 000000

273666

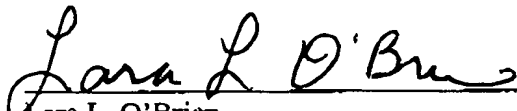
Hatched

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to:

ATTN: PCT Legal
Facsimile number: **(571) 273-0459**
Commissioner for Patents
Mail Stop PCT
P.O. Box 1450
Alexandria, Virginia 22313-1450

on March 15, 2006.


Lara L. O'Brien

| | | | |
|-----------------------|---|-------------------|------------|
| In re application of: | Blair et al. | Confirmation No.: | N/A |
| Int. Appln. No.: | PCT/GB02/03532 | Art Unit: | N/A |
| Int. Filing Date: | 31 July 2001 | Examiner: | N/A |
| Our Reference Number: | 762301-1290 | | |
| Title: | TELECOMMUNICATION INTERACTION ANALYSIS | | |

1. **Transmittal Letter;**
2. **Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 C.F.R. 1.137(b);**
3. **Credit Card Authorization Form in the Amount of \$1500.00;**
4. **Copy of Front Cover of PCT/GB02/03532;**
5. **Affidavit of Kevin Hegebarth; and**
6. **Assignment Agreement.**